

REMARKS

Claims 1-10 and 12-20 are pending in the present application. Claims 1, 3-5, 10 and 12 have been amended, claim 11 has been canceled and claims 17-20 have been added. Claims 1, 3 and 10 are independent. Reconsideration of this application, as amended, is respectfully requested.

Rejection Under 35 U.S.C. § 103

Claims 1, 2 and 5-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Stafford et al., U.S. Patent No. 5,243,659 in view of Thompson, U.S. Patent No. 4,178,548 and further in view of Guimond et al., U.S. Patent No. 5,401,175. This rejection is respectfully traversed.

The present invention is directed to a communication system for individuals. Independent claim 1 recites a combination of elements including “a connector for connecting the communication unit and the cable, said connector being a magnetic connector.” Independent claim 10 recites a combination of elements including “a connector for connecting each of said helmets and the cable, said connector being a magnetic connector.” Applicants respectfully submit that the references relied on by the Examiner fail to teach or suggest the presently claimed invention.

Referring to the Stafford et al. reference, this reference discloses a pair of helmets that are connected together by wire sets 87 and 89 via a container 88 in which electronic circuits are housed. With regard to independent claim 1, the Examiner recognizes that Stafford et al. fails to

disclose a connector for connecting the wire sets 87 and 89 to the container 88. In addition, the Examiner recognizes that the Stafford et al. reference fails to disclose a connector in the form of a magnetic connector that connects the wire sets 87 and 89 to the container 88. However, the Examiner relies on the Thompson reference to modify the Stafford et al. device to include a connector, and relies on the Guimond et al. reference to modify the combination of Stafford et al. and Thompson to include a magnetic connector. Applicants respectfully submit that the Examiner's rejection is improper and should be withdrawn.

Referring to the Guimond et al. reference, this reference discloses a magnetic coaxial connector. Referring to Figures 1-3 of Guimond et al., first and second standard coaxial cables 16.1 and 16.2 are connected to each other by a pair of mating microwave coaxial connectors 10, 12. In view of this, Guimond et al. does not provide a sufficient teaching to modify the combination of Stafford et al. and Thompson to arrive at the present invention as recited in independent claim 1.

Specifically, the only teaching that Guimond et al. provides is to connect two coaxial cables together using a magnetic connector. However, the combination of Stafford et al. and Thompson do not include two coaxial cables at the connection between the cable and the communication unit. Referring to Figure 2 of Thompson, connectors 33 and 35 are provided at one end of a cable. However, the connectors 33 and 35 do not connect to another cable, they connect directly to the mobile radio 10.

Since Guimond et al. only discloses connecting two cables together, Applicant submits that one having ordinary skill in the art would not be motivated to connect the cable to the

communication unit in the combination of Stafford et al. and Thompson. It would be necessary to add an additional cable to the communication unit before connecting the additional cable to the cable that connects the communication unit to the helmets. Since there is no suggestion of such an arrangement in the prior art, Applicants submit that the Examiner's rejection is improper and should be withdrawn.

With regard to Figures 6-8 of Guimond et al., this embodiment also discloses connecting two coaxial cables together. Therefore, these figures fail to provide a sufficient teaching to connect a cable to a communication unit as well.

With regard to independent claim 10, this claim has been amended to recite "a connector for connecting each of said helmets and the cable, said connector being a magnetic connector." For the same reasons mentioned above with regard to independent claim 1, Applicant submits that Guimond et al. fails to provide a sufficient teaching to connect a cable to a helmet. Guimond et al. would only teach one having ordinary skill in the art to connect two coaxial cables together.

In addition, with regard to the Examiner's comments that Stafford et al. discloses a connector for a helmet and that Guimond et al. teaches a magnetic coaxial connector on a helmet (see page 4, lines 13-17 of the Examiner's Office Action), Applicants submit that the Examiner's position is without basis. Referring to Figure 3 of Stafford, there is no disclosure of a connector between the wire sets 87 and 89 and the helmets. The wire sets 87 and 89 connect to the speakers 115, presumably by the terminals of the speakers 115. In addition, Guimond et al. only discloses connecting two coaxial cables together by a magnetic connector. Applicants submit

that such a teaching is insufficient to modify Stafford et al. to include a magnetic connector on the helmets of Stafford et al.

Although not conceding to the appropriateness of the Examiner's rejection for the above reasons, but only to expedite prosecution of the present application, independent claims 1 and 10 have been amended to recite "said connector ... including plural electrodes." Applicants respectfully submit that the references relied on by the Examiner fail to teach or suggest these aspects of the present invention as well.

Referring to Stafford et al. reference, this reference fails to disclose a connector. Therefore, Stafford et al. fails to disclose a connector including plural electrodes as recited in the independent claims of the present invention. Referring to Thompson reference, this reference discloses a connector 35 that plugs into an input connector 32. This reference also fails to disclose a connector including plural electrodes as recited in the independent claims of the present invention. Finally, with regard to the Guimond et al. reference, this reference discloses a connector having a single electrode. Therefore, Stafford et al. fails to disclose a connector including plural electrodes as recited in the independent claims of the present invention.

In view of the above, the references relied on by the Examiner fail to teach or suggest the present invention as recited in independent claims 1 and 10.

With regard to dependent claims 2, 5-9 and 12-16, Applicants respectfully submit that these claims are allowable due to their respective dependence upon allowable independent claims 1 and 10, as well as due to the additional recitations in these claims.

For example, with regard to claim 2, the same comments mentioned above with regard to independent claim 10 are applicable.

With regard to dependent claims 5 and 12, the Examiner states the following with regard to these claims:

Thompson further teaches the communication system for individuals, wherein the connection between the communication unit and the cable may be disconnected by applying a force in any direction. Thompson fails to explicitly teach the connection between the communication unit and the cable may be disconnected by applying a force in any direction. However, Thompson teaches the connection between the communication unit and the cable. Therefore, the cable may be disconnected by applying a force in any direction.

The above comments from the Examiner are not understood. On the one hand, the Examiner states that Thompson does teach that the connection between the communication unit and the cable may be disconnected by applying a force in any direction. On the other hand, the Examiner states that Thompson does not teach that the connection between the communication unit and the cable may be disconnected by applying a force in any direction. Therefore, it is requested that the Examiner clarify whether the Examiner believes Thompson teaches that the connection between the communication unit and the cable may be disconnected by applying a force in any direction.

In addition, the Examiner then simply states that Thompson teaches a connection between the communication unit and the cable, and in view of this teaching, the cable may be disconnected by applying a force in any direction. This rationale from the Examiner is not understood. It is therefore requested that the Examiner clarify this rejection, if the Examiner does persist in the rejection of dependent claims 5 and 12.

With regard to claims 6 and 16, these claims recite that the helmets include magnets secured thereto. In addition, the cable includes magnetically attractive material for mating with the magnets. First, none of the references relied on by the Examiner suggest connecting a magnet to a helmet. The Stafford et al. and Thompson references fail to disclose any connector between the helmets and the cables. Furthermore, Guimond et al. only discloses connecting two coaxial cables together. Second, none of the references suggest using a magnetic material on the cable. Referring to Figures 4 and 5 of Guimond et al., each cable includes a magnet that has opposite poles facing each other. In view of this, Guimond et al. fails to disclose the use of a magnet on one side of a connector and a magnetic material on an opposite side of a connector as recited in claims 6 and 16 of the present invention.

With regard to claims 7 and 14, Applicants submit that the same comments mentioned above with regard to claims 6 and 13 are applicable to these claims.

With regard to claims 9 and 16, Applicants submit that the Examiner's rejection of these claims is without basis. Claims 9 and 16 recite that opposite ends of the cable include magnetically attractive material and a magnetic material, respectively. In Guimond et al., two separate cables are disclosed as being attached to each other by magnets attached to each of the two separate cables. In view of this, Guimond et al. fails to make up for the deficiencies of the combination of Stafford et al. and Thompson.

In view of the above amendments and remarks, Applicants respectfully submit that claims 1, 2, 5-10 and 12-16 clearly define the present invention over the references relied on by

the Examiner. Accordingly, reconsideration and withdrawal of the Examiner's rejection under 35 U.S.C. § 103 are respectfully requested.

Allowable Subject Matter

Claims 3 and 4 have been indicated by the Examiner as being allowable if rewritten in independent form. Applicants greatly appreciate the indication of allowable subject matter by the Examiner as the Examiner will note, claim 3 has been rewritten in independent form. However, for the above-mentioned reasons, Applicants submit that independent claim 1 is in condition for allowance. Therefore, claim 4 has not been rewritten in independent form at this time.

Additional Claims

Additional claims 17-20 have been added for the Examiner's consideration. Applicants submit that these claims are allowable due to their respective dependence on independent claims 1 and 10, as well as due to the additional recitations in these claims.

Favorable consideration and allowance of additional claims 17-20 are respectfully requested.

CONCLUSION

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but merely to show the state-of-the-art, no further comments are deemed necessary with respect thereto.

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.

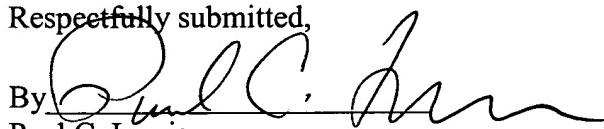
It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Paul C. Lewis, Registration No. 43,368 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: July 29, 2005

Respectfully submitted,

By 
Paul C. Lewis

Registration No.: 43,368
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Rd.
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant